

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 1-11 remain in this application and, as amended herein, are submitted for the Examiner's reconsideration.

Claims 5 and 11 have been amended solely to have the claims better conform to the requirements of U.S. practice. None of these amendments is intended to narrow the scope of any of these claims, and no new matter has been added by these amendments.

In the Office Action, claims 1-2, 4-8, and 10-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugimoto (U.S. Patent Application Publication No. 2001/0015986) in view of Matsuzaki (U.S. Patent Application Publication No. 2003/0070172). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

Independent claims 1, 4, 6, 7, and 10 have been amended to more clearly show the differences between the claimed features and the relied on art. No new matter has been added by these changes. Support for these changes is found at, e.g., and page 14, lines 11-17, and page 15, lines 2-10 of the specification.

As amended herein, claim 1 recites:

means for extracting a packet necessary for monitoring from each of a plurality of transport streams that correspond to a plurality of concurrent programs, and for reconstructing the extracted packets to one transport stream;

means for descrambling plural packets from the reconstructed one transport stream using a conditional access module and for separating the packets necessary for monitoring; and

means for decoding each packet separated from the reconstructed one transport stream so that more than one of the plurality of concurrent programs is reproduced[.]

(Emphasis added.) Neither the relied on sections Sugimoto nor the relied on sections of Matsuzaki disclose or suggest extracting a packet necessary for monitoring from each of a plurality of transport streams that correspond to a plurality of concurrent programs. Moreover, neither the relied on sections Sugimoto nor the relied on sections of Matsuzaki disclose or suggest descrambling plural packets from the reconstructed one transport stream (of packets necessary for monitoring that are extracted from each of a plurality of transport streams that correspond to a plurality of concurrent programs). Further, neither the relied on sections Sugimoto nor the relied on sections of Matsuzaki disclose or suggest decoding each packet separated from a reconstructed one transport stream (of packets necessary for monitoring that are extracted from each of a plurality of transport streams that correspond to a plurality of concurrent programs) so that more than one of a plurality of concurrent programs is reproduced.

It follows, for at least these reasons, that neither the relied on sections of Sugimoto nor the relied on sections of Matsuzaki, whether taken alone or in combination, disclose or suggest the combination out in claim 1. Claim 1 is therefore patentably distinct and unobvious over the relied on references.

Independent claims 4, 6, 7, and 10 each recite features similar to those set out in the above excerpt of claim 1. Claims 4, 6, 7, and 10 are therefore each patentably distinct and unobvious over the relied on sections Sugimoto and Matsuzaki for at least the same reasons.

Claim 2 depends from claim 1, claim 5 depends from claim 4, claim 8 depends from claim 7, and claim 11 depends from claim 10. Therefore, each of these claims is distinguishable over the relied on art for at least the same reasons as the claim from which it depends.

Claims 3 and 9 were rejected under 35 U.S.C. § 103(a)

as being unpatentable over Sugimoto in view of Matsuzaki and further in view of Onagawa (U.S. Patent No. 6,804,259). Applicants submit that the claims are patentably distinguishable over the relied on sections of the references.

Claim 3 depends from claim 1, and claim 9 depends from claim 7. Therefore, each of the claims is distinguishable over the relied-on sections of Sugimoto and Matsuzaki for at least the same reasons.

The relied-on sections of Onagawa do not overcome the deficiencies of the relied-on sections of Sugimoto and Matsuzaki.

Accordingly, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 103(a).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,
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